

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Anticipated Classification
of this Application:
Class _____ Subclass _____

Prior Application:
Exam'r: Ardin Marschel, Ph.D
Group Art Unit: 1807

Attorney's
Docket No.:
Enz-7
(C2)(P)(C2)

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

BOX FWC (if under \$1.62)

Sir:

This is a request for filing a X CONTINUATION DIVISIONAL
 CONTINUATION-IN-PART application under X 37 CFR §1.60
 37 CFR §1.62, of pending prior application Serial No. 07/607,347
filed on October 30, 1990 of Jannis Stavrianopoulos et al.
Inventor(s)

for

**COMPOSITION AND KIT EMPLOYING CHEMICALLY-
LABELLED POLYNUCLEOTIDE PROBES**
(As Amended)

Title of Invention

1. X Enclosed is a copy of the prior application, as originally
filed and an affidavit or declaration verifying it as a
true copy.
2. A verified statement to establish small entity status
under 37 CFR §1.9 and §1.27 is enclosed.
3. X The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT

	Number Filed		Number Extra		RATE			FEE	
					Small Entity	Other Entity		Small Entity	Other Entity
Total Claims	1	=	0	x	\$ 10	\$ 20	=	\$ 0	\$
Independent Claims	1	=	0	x	\$ 36	\$ 72	=	\$ 0	\$
Multiple Dependent Claims Presented: <u> </u> Yes <u>X</u> No					\$ 110	\$ 220		\$ 0	\$
* If the difference in Col. 1 is less than zero, enter "0" in Col. 2						BASIC FEE		\$ 345	\$ 690
						TOTAL FEE		\$ -	\$ 690

4. X The Commissioner is hereby authorized to charge payment
of the filing fee as well as the following fees associated
with this application or to credit any overpayment to
Deposit Account No. 05-1135.
A duplicate copy of this sheet is enclosed.
- X Any additional filing fees required under 37 CFR §1.16.
- X Any patent application processing fees under 37 CFR §1.17.

Attorney's Docket No. Enz-7 (C2)(P)(C2)

EXPRESS MAIL CERTIFICATE	
"Express Mail" Label No	<u>GB743015812US</u>
Deposit Date	<u>October 28, 1992</u>
I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington DC 20231	
<i>[Signature]</i> Randy C. Folus	<u>10-28-92</u> Date

Jannis Stavrianopoulos et al.

Serial No.: Not Yet Known

Filed: Herewith

Page 2 (Request for a Continuation Application Under 37 C.F.R. §1.

-October 28, 1992)

5. ☒ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 05-1135.
A **duplicate** copy of this sheet is enclosed.
- ☒ Any patent application processing fees under 37 CFR §1.17.
- ☐ The issue fee set in 37 CFR §1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR §1.311(b).
- ☒ Any filing fees under 37 CFR §1.16 for presentation of extra claims.
6. ☐ A check in the amount of \$_____ is enclosed.
7. ☒ Cancel claims 2-26.
8. ☒ Amend the specification by inserting before the first line the sentence: -- This is a ☒ continuation, ☐ divisional ☐ continuation-in-part, of U.S. application Serial No. 07/607,347, filed on October 30, 1990, which is a continuation of U.S. Application Serial No. 07/385,986, filed on July 20, 1989, now U.S. Patent No. 4,994,373, which, in turn, is a continuation of U.S. Application Serial No. 06/732,374, filed on May 9, 1985, abandoned, which is a continuation of U.S. Application Serial No. 06/461,469, filed on January 21, 1983, also abandoned. --
9. ☐ Transfer the drawings from the prior application.
10. ☐ Informal ☐ Formal ☐ drawings are enclosed.
11. ☐ Abandon said prior application as of the filing date accorded this application. A **duplicate** copy of this sheet is enclosed for filing in the prior application file.
12. ☐ Priority of application Serial No. _____ filed on _____ is claimed under 35 U.S.C. §119.
☐ The certified copy of the priority application has been filed in prior application Serial No. _____, filed _____.
13. ☒ The prior application is assigned of record to Enzo Diagnostics, Inc. [A copy of the originally submitted Assignment and the Notice of Recordation are enclosed herewith.]
14. ☒ A preliminary amendment is enclosed.

Jannis Stavrianopoulos et al.

Serial No.: Not Yet Known

Filed: Herewith

Page 3 (Request for a Continuation Application Under 37 C.F.R. §1.60
-October 28, 1992)

15. X The substitute power of attorney in the prior application is to: Serle I. Mosoff, Reg. No. 25,900;
Elaine P. Brenner, Reg. No. 29,517; and
Charles J. Herron, Reg. No. 28,019.

- (a) The power appears in the original papers in the prior application.
- (b) X Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- (c) X A copy of a new substitute power of attorney is enclosed.
- (d) X Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

Ronald C. Fedus, Esq.
Enzo Biochem, Inc.
60 Executive Boulevard
Farmingdale, New York 11735

16. X Also enclosed is a copy of the Request for a Three-Month Extension of Time in the prior application.

17. X I hereby verify that the attached papers are a true copy of prior application Serial No. 07/607,347 as originally filed on October 30, 1990.

18. X Applicants filed a Notice of Appeal on June 17, 1992 to the final Office Action mailed on December 17, 1991 in connection with the parent application. On April 6, 1992, the Examiner had issued an Advisory Action. With the Request For a Three Month Extension of Time described in Item 16 above, this Request for a Continuation Application Under 37 C.F.R. §1.60 is being filed during the pendency of the prior application.

Jannis Stavrianopoulos et al.

Serial No.: Not Yet Known


Filed: Herewith

Page 4 (Request for a Continuation Application Under 37 C.F.R. §1.60
-October 28, 1992)

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

OCTOBER 28, 1992

Date



Signature [Ronald C. Fedus]

Registration No. 32,567

Attorney for Applicants

☐ Inventor(s)

☐ Assignee of Complete

Interest

☒ Attorney or Agent of Record

☐ Filed under 37 CFR §1.34(a)

Address of Signator:

Enzo Diagnostics, Inc.

c/o Enzo Biochem, Inc.

60 Executive Boulevard

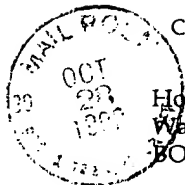
Farmingdale, New York 11735

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Anticipated Classification
of this Application:
Class _____ Subclass _____

Prior Application:
Examiner Jayne Huleatt
Group Art Unit 185

Attorney's
Docket
No. Enz-7 CIP (Cont.)



Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231
BOX FWC (if under §1.62)

Sir:

This is a request for filing a x CONTINUATION _____ DIVISIONAL
_____ CONTINUATION-IN-PART application under _____ 37 CFR §1.60
x 37 CFR §1.62, of pending prior application Serial No. 06/732,374
filed on May 9, 1985 of J. Stavrianopoulos, et al. for
Inventor(s)

Method and Structures Employing Chemically-Labelled Polynucleotide Probes.
Title of Invention

1. _____ Enclosed is a copy of the prior application, as originally
filed and an affidavit or declaration verifying it as a
true copy.
2. _____ A verified statement to establish small entity status
under 37 CFR §1.9 and §1.27 is enclosed.
3. x The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT

	Number Filed		Number Extra*		RATE		FEE	
					Small Entity	Other Entity	Small Entity	Other Entity
Total Claims	21 - 20	=	1	x	\$ 6	\$ 12	=	\$ \$ 12
Independent Claims	1 - 3	=	0	x	\$ 18	\$ 36	=	\$ \$ 0
Multiple Dependent Claims Presented: _____ Yes <u>x</u> No					\$ 60	\$ 120		\$ \$ 0
* If the difference in Col. 1 is less than zero, enter "0" in Col. 2					BASIC FEE		\$185	\$370
					TOTAL FEE		\$ 0	\$382

EXPRESS MAIL CERTIFICATE	
"Express Mail" Label No. <u>GB743015812US</u>	
Deposit Date <u>OCTOBER 28, 1992</u>	
I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington DC 20231	
<u>Ronald C. Fedus</u> Reg. No. 32,567	<u>10-28-92</u> Date

4. ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this application or credit any overpayment to Deposit Account No. 05-1135. A duplicate copy of this sheet is enclosed.
- ☒ Any additional filing fees required under 37 CFR §1.16.
- ☒ Any patent application processing fees under 37 CFR §1.17.
5. ☒ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 05-1135. A duplicate copy of this sheet is enclosed.
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- ☐ The issue fee set in 37 CFR §1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR §1.311(b).
- ☒ Any filing fees under 37 CFR §1.16 for presentation of extra claims.
6. ☐ A check in the amount of \$_____ is enclosed.
7. ☐ Cancel claims _____.
8. ☐ Amend the specification by inserting before the first line the sentence: --This is a ☒ continuation ☐ division ☐ continuation-in-part of application Serial No. 06/732,374 filed May 9, 1985.--
9. ☐ Transfer the drawings from the prior application.
10. ☐ Informal ☐ Formal ☐ drawings are enclosed.
11. ☒ Abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.
12. ☐ Priority of application Serial No. _____ filed on _____ is claimed under 35 U.S.C. §119.
- ☐ The certified copy of the priority application has been filed in prior application Serial No. _____ filed _____.
13. ☒ The prior application is assigned of record to Enzo Biochem, Inc., 345 Hudson Street, New York, NY 10014.
14. ☒ A preliminary amendment is enclosed.
15. ☐ The power of attorney in the prior application is to:
- Serle I. Mosoff, Reg. No. 25,900
 - Charles J. Herron, Reg. No. 28,019
 - Helen Tzagoloff, Reg. No. 32,317

- (a) ☐ The power appears in the original papers in the prior application.
- (b) ☒ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

- (c) ☐ Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

Serle I. Mosoff, Esq.

Enzo Biochem, Inc.

345 Hudson Street

New York, NY 10014

16. ☒ Also enclosed a substitute power of attorney

17. ☐ I hereby verify that the attached papers are a true copy of prior application Serial No. _____ as originally filed on _____.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

July 20, 1989
Date

Elaine P. Brenner
Signature

☐ Inventor(s)
☐ Assignee of Complete Interest
☒ Attorney or Agent of Record
☐ Filed under 37 CFR §1.34(a)

Address of Signator:

Enzo Biochem, Inc.

345 Hudson Street

New York, NY 10014

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EXPRESS MAIL CERTIFICATE	
"Express Mail" Label No.	NB 445 567 221
Deposit Date	July 20, 1989
I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail" Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington DC 20231.	
<u>Elaine P. Brenner</u>	<u>7/20/89</u>
Elaine P. Brenner	Date
Reg. No. 29,517	